

**APPROVED 2/18/10**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

Meeting of the Zoning Board of Appeals held on Thursday, January 21, 2010 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:30 PM.

**MEMBERS PRESENT:**

Caren M. Genovese, Vice Chairman  
Donald F. Clark, Secretary  
Joseph A. Cappucci  
Joseph P. Villano  
Mary Jane Mulligan, Alternate  
Cheryl A. Juniewicz, Alternate, sitting for Robert F. Hannon

**MEMBERS ABSENT:**

Robert F. Hannon, Chairman  
Robert E. Martin, Alternate

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator  
Arthur Hausman, Zoning Enforcement Officer

**OTHERS PRESENT:**

Mary Lee Rydzewski, Public Stenographer  
Sandi Lion, Clerk

**AGENDA:**

Mrs. Genovese, Acting Chairman, opened the meeting at 7:30 PM introduced the members of the Board, the Town staff, the stenographer and clerk. Mrs. Genovese stated that application #09-15, 48 Giles Avenue, is postponed to the February 18, 2010 meeting. She then explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur.

1. #A2W-10-01 Application of William L. Krinsky, Owner and Applicant, relative to 5 Norway Road, (Map 50, Lot 211), seeking a waiver of the A2 survey application requirement.

Mr. Krinsky, owner, presented the application to waive the A-2 survey application requirement. Mr. Krinsky is requesting to retain his fence that is not in compliance with zoning regulations for height. He stated that the fence serves as a buffer from the traffic on Dixwell Avenue. The Board asked questions and Mr. Krinsky responded.

## **PUBLIC HEARINGS:**

2. #09-15 Application of Locust Realty Associates, LLC, Owner and Applicant, relative to 48 Giles Avenue, (Map 28, Lot 13), Appeal of a Cease & Desist Order of the Zoning Enforcement Officer. IG-80 Zoning District.

This application is postponed to the February 18, 2010 meeting.

Mr. Clark read the call for the first Public Hearing.

3. #09-17 Application of Arnco Sign Company, Inc., Applicant, Raymour & Flanigan/North Haven Property, LLC, Owner, relative to 70 Universal Drive, (Map 11, Lot 2), per Section 8.8.7.2(3), requesting a sign area variance of 160 square feet to permit a sign area of 200 square feet where 40 square feet is permitted and requesting a sign height variance of 20' to permit a sign height of 40' where 20' is permitted. IL-30 Zoning District.

Attorney Bernard Pellegrino, Jr., representing the applicant, presented the application for a sign variance for a 40' high pylon sign for Longhorn Steakhouse. A sign area variance of 160 square feet and a sign height variance of 20' are being requested. This proposed sign is necessary for I-91 traffic, in both directions, and the northern side of Universal Drive to have sign visibility. Attorney Pellegrino discussed the hardship with the Board. Mr. Neil Terwilliger, representing Longhorn Steakhouse, further addressed questions from the Board.

Mrs. Genovese asked for public comment.

There being no public comment, the Public Hearing was closed.

Mr. Clark read the call for the second Public Hearing.

4. #10-01 Application of Robert Baptie, Applicant, Joan Hunt, Owner, relative to 150 Middletown Avenue, (Map 7, Lot 7), per Section 2.1.1.9, requesting a front yard variance of 3' to permit a front yard setback of 47' where 50' is required. R-20 Zoning District.

Mr. Robert Baptie, applicant, presented the application requesting a front yard variance of 3' to construct a 14' x 19' one-story addition in the rear yard. The Board asked questions and Mr. Baptie responded.

Mrs. Genovese asked for public comment.

There being no public comment, the Public Hearing was closed.

## **DELIBERATION SESSION:**

Mr. Clark moved to go into deliberations; Ms. Juniewicz seconded the motion. All were in favor.

1. #A2W-10-01 Application of William L. Krinsky, Owner and Applicant, relative to 5 Norway Road.

Mr. Clark moved to waive the A-2 Waiver Requirement; Mr. Cappucci seconded the motion. The Board voted as follows:

Genovese – aye Clark – aye Cappucci - aye Villano – aye Juniewicz – aye

The Board stated the following:

1. An A-2 survey would not be helpful because the issue is in regards to the height of the fence, not its location.
3. #09-17 Application of Arnco Sign Company, Inc., Applicant, Raymour & Flanigan/North Haven Property, LLC, Owner, relative to 70 Universal Drive.

Ms. Juniewicz moved to approve the application; Mr. Clark seconded the motion.

Ms. Juniewicz amended the motion to approve the sign height of 40' and limit the sign area to not exceed 140 square feet; Mr. Clark seconded the motion. The Board voted as follows:

Genovese – aye Clark – aye Cappucci - aye Villano - aye Juniewicz - aye

4. #10-01 Application of Robert Baptie, Applicant, Joan Hunt, Owner, relative to 150 Middletown Avenue.

Mr. Cappucci moved to approve the application; Mr. Clark seconded the motion. The Board voted as follows:

Genovese – aye Clark – aye Cappucci - aye Villano - aye Juniewicz - aye

The Board stated the following:

1. The request is reasonable.
2. The house predates zoning.
3. The variance is limited to this proposed addition only.

**CEASE AND DESIST ORDERS:**

Mr. Arthur Hausman, Zoning Enforcement Officer discussed current zoning violations with the Board.

231 Bassett Road – unkempt property

The Town Attorney has become involved with this issue.

19 Country Way – commercial vehicles and unkempt property

The Town Attorney has become involved with this issue

**MINUTES:**

December 17, 2009

Mr. Cappucci moved to approve the minutes of December 17, 2009; Mr. Villano seconded the motion; the Board members voted as follows:

Genovese - aye Clark – aye Mulligan – aye Villano – aye Juniewicz - aye

**CORRESPONDENCE:** None

**OTHER:** None

**ADJOURN:**

There being no further business, Mr. Cappucci moved to adjourn; Mr. Clark seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 8:40 PM.